

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Gene M. Gomes, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Rosemary Heredia, Assistant Deputy Clerk.

F047759 Frazier Nuts, Inc. et al. v. American AG Credit, Inc. et al.
Cause called and argued by Donald F. Drummond, Esq., counsel for appellants and by Patrick W. Emery, Esq., counsel for respondents.
Cause ordered submitted.

F047094 Turlock Irrigation District et al. v. Town of La Grange
Cause called and argued by Daniel A. McDaniel, Esq., counsel for appellant; Joseph H. Fagundes, Esq., counsel for respondents Turlock Irrigation District et al. and by Jennifer L. Harder, Esq., counsel for respondent Modesto Irrigation District. No appearance by Sara J. Lima, Esq., counsel for respondents Turlock Irrigation District et al.
Cause ordered submitted.

Court recessed until Friday, June 16, 2006 at 1:30 P.M.

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F048453 People v. Howard

The order pursuant to section 1203.096, that appellant participate in a counseling or educational program having a substance abuse component, is stricken, and the trial court is directed to withdraw any written recommendation it has made in this case pursuant to that statute. As so modified, the judgment is affirmed. The trial court is further directed to prepare an amended abstract of judgment reflecting correction of clerical errors, as follows: (1) in item 9.b., the boxes shall be checked showing that restitution is to be ordered in an “Amount to be determined to victim(s)” and “Amount to be determined to Restitution Fund”; (2) in item 10.b., the box shall be checked to indicate, with respect to testing, “DNA pursuant to PC 296”; and (3) in item 11, the court shall set out its “[o]ther orders” imposing a \$300 fine pursuant to section 290.3, and prohibiting appellant from visiting any child victim under 18 years of age in this case pursuant to section 1202.05. The court shall cause a certified copy of the amended abstract of judgment to be forwarded to the Department of Corrections. Ardaiz, P.J.

We concur: Wiseman, J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F049336 People v. Flores

The above-entitled case is submitted for decision.

F049336 People v. Flores

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F048179 People v. Lopez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

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Fifth Appellate District

F048179 People v. Lopez

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F050284 People v. Hughes

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed as having been taken from a non-appealable order or as having been untimely filed.

F050571 Halladay v. Workers' Compensation Appeals Board, Kenai Drilling et al.

The Petition for Writ of Review is denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F050196 Janna N. v. The Superior Court of Kern County; Kern County Department of Human Services

The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]